

REMARKS

Favorable reconsideration of this application is requested in view of the foregoing amendments and the following remarks. Claims 1-19 are pending in the application.

The claims are amended in order to more clearly define the invention, support for which is found in the figures and related parts of the specification. Support for specifying an application server is found at page 5, line 15 and in figure 1. Support for specifying a system in which software applications reside on servers and clients share and access the applications executing on application servers via a network is found in Figure 4, box 4200 and at page 6, lines 5-6. Support for specifying at least one policy criteria is found at page 6, lines 21-23. Support for specifying computing tasks executing on an application server is found in Figure 4, box 4200. The title is amended to more clearly name the claimed invention.

Claims 1-19 stand rejected under 35 USC 102(e) as anticipated by Rabin (U.S. Pat. No. 6,697,948). Rabin discloses the use of servers in a computer network. However, Rabin's use of servers does not disclose or suggest the claimed invention because the claimed invention explicitly requires specific activities by a server that are not described or taught by Rabin.

At page 3, lines 2-3 of the Action, following the word "server", the Examiner cites "(col 26, lines 26-43, supervise usage of information by user devices) of Rabin," in an argument that Rabin discloses "servers." However, the claimed invention supervises the execution of applications on an application server and the use of resources on the application server; NOT on a user device. In contrast to the claimed invention, Rabin supervises the execution of applications and the use of resources on users/clients.

At page 3, line 14 of the Action, following the words "said token," the Examiner cites "(verification program examines tags, col 5, lines 9-28)" of Rabin in an argument that Rabin discloses "server computing task according to said token." However, referring to this same

Rabin citation (particularly column 5 lines 12-13), Rabin states “[t]he tags are associated with instances of tagged software used on the user device.” In stark contrast to Rabin, claim 1 specifically requires “to initiate and terminate access of server resources and server computing task.”

At page 4, line 6 of the Action, following the word “database,” the Examiner cites “(col 49, lines 45-67 and col 50, lines 1-2)” of Rabin in an argument that Rabin discloses “server resource and/or server computing task access sessions are assigned to a specific user and stored on a database.” However, referring to this same Rabin citation (particularly column 49, line 53), Rabin is very specific that the tags are associated with software on the user device. The user device of Rabin is not an application server. In stark contrast to Rabin, claim 11 requires tags associated with executing applications or resources on application servers.

At page 4, line 8 of the Action, following the word “server resource,” the Examiner cites “(col 4, lines 57-65, shared data files)” of Rabin in an argument that Rabin discloses “specific user against associated assigned server resource.” However, referring to this same Rabin citation (particularly column 49, line 53), Rabin describes how to control access to a program that uses shared data executing on the client device. The client device of Rabin is not an application sever.

At page 4, line 10 of the Action, following the words “license manager,” the Examiner cites “(col 5, lines 9-28)” of Rabin in an argument that Rabin discloses “server computing tasks access sessions by a license manager.” However, within this same section of Rabin (particularly column 5, lines 13-14), Rabin states, “[t]he tags are associated with instances of tagged software on the user device.” The user device of Rabin is not an application server.

At page 5, line 5, lines 10-11, and line 14 of the Action, the Examiner argues that Rabin discloses various claimed limitations. However, in each of these various cases, the Rabin disclosure is only associated with a user device.

At page 8, paragraph 21 of the office action dated June 6, 2005, the Examiner provides a one paragraph response to Applicant's arguments filed March 3, 2005. In this one paragraph, the Examiner respectfully disagrees that the Rabin reference does not disclose server base computing. The Examiner cites in Rabin 108, 103, fig 1, column 26, lines 19-32, interconnecting with user devices, supervise usage of information, generating tags and distributing as server based computing. However, every one of these sections of Rabin merely describes network management done on the Rabin server while the application computing is actually done on the Rabin clients/users. The phrase "server based computing" means applications running on servers (please see page 2, lines 16-19 and page 6, line 4-8 of the instant application). This meaning of the phrase "server based computing" is an accepted and well known meaning in the art of computing.

To make this distinction more explicit, the claims are amended to explicitly require that the server is an application server. Specifying that the server is an application server is supported by the application as originally filed, for example, in Figure 4, box 4200 and by the specific use of the term "Application Server" at page 5, line 15 and in figure 1. Therefore, the claimed invention now explicitly requires that application computing is done on the server. The fact that the application computing is done on the server is important because (as explained in detail in the response filed March 3, 2005) applications run on a server are different from applications run on a client/user machine. In contrast to the claimed invention, the Rabin reference is concerned with networked computing where the applications are running on clients (please see column 3, lines 33-36 of Rabin). It is important to understand that the idea of "shared software" taught by Rabin (e.g., Figure 15, box 703 of Rabin) is NOT the same as the claimed invention which now explicitly specifies an application server (e.g., Figure 1, boxes 50, 60, 70 as described in the instant application).

Specifically, the application servers described in the instant application are where the

applications execute. In Rabin, the idea is to control and manage the execution of applications on a client device; and NOT on a server. That Rabin only describes client application execution is well supported within Rabin -- Column 3, lines 29-41; Column 6, lines 53-55; Column 8 lines 13-22; Column 9, line 39; Column 20, lines 33-35; Column 27, lines 18-20, and others. In contrast to Rabin, the claimed application server execution is supported by the instant application, for example, in Figure 4, box 4200.

Moreover, independent claim 1 is amended to specify a system in which software applications reside on servers and clients share and access the applications executing on application servers via a network. Similarly, independent claim 11 is amended to specify that a token enables through an application server based token manager, a specific user to initiate access of application server resources and/or computing tasks executing on an application server as well as terminate access of application server resources and/or computing tasks executing on an application server.

The claimed invention is not disclosed or suggested by the computer network management servers of Rabin because the claimed invention explicitly requires specific activities by a server that are not described or taught by Rabin.

Accordingly, withdrawal of this rejection is respectfully requested.

Other than as explicitly set forth above, this reply does not include acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. In view of the above, all the claims are considered patentable and allowance of all the claims is respectfully requested. The Examiner is invited to telephone the undersigned (at direct line 512-394-0118) for prompt action in the event any issues remain that prevent the allowance of any pending claims.

In accordance with 37 CFR 1.136(a) pertaining to patent application processing fees, Applicant requests an extension of time from September 6, 2005 to October 6, 2005 in which to

respond to the Office Action dated June 6, 2005. A notification of extension of time is filed herewith.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3204 of John Bruckner PC.

Respectfully submitted,

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